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Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

BANJOSA HOSPITALITY, LLC, a  
Montana limited liability company,

Plaintiff,

v.

HISCOX, INC.,

Defendant.

NOTICE OF REMOVAL

TO: Banjosa Hospitality, LLC, Plaintiff, Ugrin, Alexander, Zadick & Higgins,  
PC and Faure Holden Attorneys at Law, PC and Park County Clerk of  
District Court:

Defendant, Hiscox Insurance Company Inc. (“HICI”) (erroneously named as  
Hiscox, Inc. in Plaintiff’s Amended Complaint), by and through undersigned  
counsel of record, respectfully gives notice and shows the Court:

1. On October 16, 2017, Defendant was served through the Commissioner of Securities & Insurance pursuant to statute with a lawsuit commenced in the Sixth Judicial District Court, Park County, Montana entitled *Banjosa Hospitality, LLC v. Hiscox, Inc.*, Cause No. DV-17-43. Copies of the Letter to the Commission, Amended Complaint and Summons are attached hereto as Exhibits A, B and C. No further proceedings have been had in the action.

2. Plaintiff holds a \$600,000.00 judgment from the Montana Sixth Judicial District Court, Park County, against Scott Blumfield. Scott Blumfield assigned any rights he may have under a Hiscox insurance policy to Banjosa. The amount in controversy exceeds the sum of Seventy Five Thousand and No/100 Dollars (\$75,000.00), exclusive interest and costs.

3. At the time this action was commenced, Plaintiff was and still is a sole-member limited liability company organized under the laws of Colorado with its principal place of business in Colorado.

4. According to Plaintiff's Articles of Incorporation on file with the Colorado Secretary of State, Banjosa's sole-member is Khursid A. Khan who, to the best of Defendant's knowledge, is a citizen of Colorado.

5. At the time this action was commenced, HICI was and still is a corporation incorporated under the laws of Illinois with its principal place of business in Chicago, Illinois.

6. The above-described action is one in which this Court has original jurisdiction under the provisions of 28 U.S.C. § 1332, and is one which may be removed to this Court by the Defendant herein, pursuant to the provisions of 28 U.S.C. § 1441 in that it is a civil action and the matter in controversy exceeds the sum or value of Seventy Five Thousand and 00/100 Dollars (\$75,000.00), exclusive of interest and costs, and is between citizens of difference states.

7. Pursuant to Federal Rule of Civil Procedure 81(c)(2)(C), Defendant will file its Answer to Plaintiff's Complaint by November 22, 2017.

Defendant Prays that the action now pending against it in the Montana Sixth Judicial District Court, Park County be removed therefore to this Court.

DATED this 15th day of November, 2017.

/s/ Robert J. Phillips  
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Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on November 15th, 2017, a copy of the foregoing document was served on the following persons by the following means:

_____	Hand Delivery
<u>1-3</u>	Mail
_____	Overnight Delivery Service
_____	Fax (include fax number in address)
<u>1-2</u>	E-Mail (include email in address)

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/s/ Robert J. Phillips  
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